

REMARKS

This is a Response to the Office Action mailed August 10, 2005, in which a three (3) month Shortened Statutory Period for Response has been set, due to expire November 10, 2005. Twenty-six (26) claims, including five (5) independent claims, were paid for in the application. Claims 1, 7, 10, 12-13 and 18-25 have been canceled. Claims 2, 4, 6, 8-9, 14-17 and 26 are currently amended. New claim 27 has been added. No new matter has been added to the application. No fee for additional claims is due by way of this Amendment. The Director is authorized to charge any fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090. Claims 2-6, 8-9, 11, 14-17 and 26-27 are pending.

Drawings

The drawings were objected to because in Figure 1A, reference number 14 is indicated as the rotor shaft. Figure 1A has been amended to remove reference number 14. Additionally, Figures 5 and 6 were objected to by the Draftsperson. Figures 5 and 6 have been amended as required by the Notice of Draftsperson's Patent Drawing Review. Three replacement sheets of formal drawings are presented herewith for approval.

Rejections Under 35 U.S.C. § 102(b)

Claims 1-11 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by *Takahashi et al.* (U.S. Patent 6,794,784), hereinafter *Takahashi*.

Applicants respectfully draw the Examiner's attention to the Application Data Sheet filed with the present application, which claims benefit from U.S. provisional patent application Serial No. 60/432,727, filed December 11, 2002. Applicants also respectfully draw the Examiner's attention to 37 CFR 1.76(b)(5), which allows domestic priority claims under 35 U.S.C. 119(e) to be made via a single reference in the Application Data Sheet. Consequently, Applicants respectfully request that the present application be accorded the benefit of the December 11, 2002, filing date, and that the rejection under 35 U.S.C. § 102(b) be withdrawn.

Claims 1 and 7 have been canceled, and claim 8 has been rewritten in independent form to include all of the limitations of claims 1 and 7. As rewritten, claim 8 recites, *inter alia*, "a filler forming at least a part of the at least one non-magnetic structure wherein the filler

comprises at least one of an epoxy, a resin, or an adhesive.” *Takahashi* does not disclose, teach, or suggest a filler forming at least a part of the at least one non-magnetic structure wherein the filler comprises at least one of an epoxy, a resin, or an adhesive, as recited in claim 8. For a proper rejection of a claim under 35 U.S.C. § 102, the cited reference must disclose all elements/features/steps of the claim. See, e.g., *E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988). Thus, claim 8 is believed allowable over *Takahashi*, even if such were considered to constitute a “prior art” reference.

Claims 12-21 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by *Takahashi et al.* (U.S. Patent 6,794,784), hereinafter *Takahashi*.

Claim 12 has been canceled, and claim 15 has been rewritten in independent form to include all of the limitations of claim 12. As rewritten, claim 15 recites, *inter alia*, “a load absorbing material filling at least a portion of each of the end portions of the magnet slots.” *Takahashi* does not disclose, teach, or suggest a load absorbing material filling at least a portion of each of the end portions of the magnet slots, as recited in claim 15. For a proper rejection of a claim under 35 U.S.C. Section 102, the cited reference must disclose all elements/features/steps of the claim. See, e.g., *E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988). Thus, claim 15 is believed allowable over *Takahashi*, even if such were considered to constitute a “prior art” reference.

Claim 26 stands rejected under 35 U.S.C. §102(b) as allegedly anticipated by *Lloyd*. (U.S. Patent 4,939,398), hereinafter *Lloyd*.

As amended, claim 26 recites, *inter alia*, “a load absorbing material received in the end portions of the internal slots between a portion of a wall forming the end portion and the respective permanent magnet disposed in the internal slot.” *Lloyd* does not teach or suggest a load absorbing material received in the end portions of the internal slots between a portion of a wall forming the end portion and the respective permanent magnet disposed in the internal slot, as recited by claim 26. For a proper rejection of a claim under 35 U.S.C. Section 102, the cited reference must disclose all elements/features/steps of the claim. See, e.g., *E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988). Thus, claim 26 is believed to be allowable over *Lloyd*.

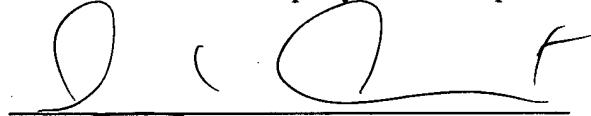
Conclusion

Overall, the cited references do not singly, or in any motivated combination, teach or suggest the claimed features of the embodiments recited in independent claims 8, 15 and 26, and thus such claims are allowable. Because the remaining claims depend from the allowable independent claims, and also because they include additional limitations, such claims are likewise allowable. If the undersigned attorney has overlooked a relevant teaching in any of the references, the Examiner is requested to point out specifically where such teaching may be found.

In light of the above amendments and remarks, Applicants respectfully submit that all pending claims are allowable. Applicants, therefore, respectfully request that the Examiner reconsider this application and timely allow all pending claims. Examiner Elkassabgi is encouraged to contact Mr. Abramonte by telephone to discuss the above and any other distinctions between the claims and the applied references, if desired. If the Examiner notes any informalities in the claims, the Examiner is encouraged to contact Mr. Abramonte by telephone to expediently correct such informalities.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC



Frank Abramonte
Registration No. 38,066

Enclosures:

Postcard

3 Replacement Sheets of Formal Drawings (Figures 1A-1B, 5 and 6)

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031
(FXA:lrw) 701816_1